(3)

SINGLE BENCH

(1)

e.8.1001-

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. No. 1867 of 2005

PETITIONER Smt. Reena Pillai, W/o. Shri S.P. Pillai, Aged about 37 years, Resident of Qr. No. 23/A, Street Avenue, C. Sector 1, Bhilai, District Durg (Chhattisgarh), Occupation – Lady Constable, C.I.S.F. Unit, B.S.P., Bhilai, District Durg (C.G.)

P.R. No. 1992/05
Presented by Shri B.P. Pathak
dated 02/05/05

VERSUS

RESPONDENTS

1. Union of India,
   Through Ministry of Home Affairs,
   New Delhi
2. The Director General,
   Central Industrial Security Force
   (C.I.S.F.), head Quarter Lodhi Road,
   C.G.O. Complex, New Delhi
3. DIG, C.I.S.F. Bhilai, Steel Plant, Bhilai,
   District – Durg (C.G.)
4. Commandant (Adm.) C.I.S.F. Unit BSP
   Bhilai, District Durg (C.G.)

R/C Dhade
Clerk to Sh. R.S. Baghel

Rajnish Singh Baghel
Advocate
Addl. Central Government Standing Counsel
In the High Court of Chhattisgarh Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

(62)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....WPNO.1867/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-5-2005 Smt. Hamida Siddique, counsel for the petitioner. Shri R. Pradhan, Centra Govt. Counsel for the respondents. Heard on admission. The petitioner has preferred this writ petition questioning her transfer order dated 4-3-2005 and the order dated 26-4-2005 whereby the representation of the petitioner has been rejected. Brief facts leading to filing of this writ petition are that the petitioner joined as Constable in the C.I.S.F. organization on 10-11-1987 and thereafter she was transferred to various places. On 26-4-90, she was transferred to B.S.P. unit Bhilai and thereafter from time to time she was transferred from Bhilai area to Raipur area. Now, she has been transferred to South Zone. On an earlier occasion the petitioner filed a petition questioning the said transfer order and the petitioner was allowed to make a representation to respondent No.2, Director General, on which she made a representation and vide order dated 25th/ 26th April 2005 the petitioner's representation has been rejected. Learned counsel for the petitioner submitted that the petitioner is having small children and she has been transferred ~~to such~~ a far off place whereas her husband is working in Bhilai, therefore, in the circumstances, orders in question are not in	

(62)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

consonance with the guideline that husband and wife both should be posted at one place.

I have perused the relevant records and the order dated 25th/ 26th April 2005. The Director General of C.I.S.F. has considered all the grievances raised by the petitioner in this writ petition and by an elaborate order he has rejected the representation. In this order it has been mentioned that the petitioner is working since last 15 years in the home zone that is Chhattisgarh area and she has to work atleast 6 years out of home zone as per the policy and thereafter she will again be entitled for her posting in the home zone.

Therefore, as the petitioner was working for 15 years in the Bhilai area and this aspect has been considered by the Director General of C.I.S.F., I do not find any illegality or infirmity in the order. The petitioner has not been able to make out a case for invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, as it has been mentioned that the transfer has been made in the administrative exigency, therefore, the writ petition is liable to be dismissed and it is accordingly dismissed.

Consequently, M.(W.)P. No.1443/2005 and I.A. No.3509/2005 also stand disposed of.

Sd/-
L.C.BHADOO
Judge

Barve

SP/FS/2005 - 20,000